

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Thomas A. Harris, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Joe G. Lopez, Deputy Clerk.

James L. Saccheri, Esq., counsel for appellant, and M. J. Hamilton, Deputy Attorney General, counsel for respondent, agreed that: (1) Wiseman, J., the absent assigned justice, participate in the determination of this appeal, and (2) Wiseman, J., to listen to the tape recording of oral proceedings upon her return.

**F029493      Kinzel v. Kinzel**

Cause called and argued by James L. Saccheri, Esq., counsel for appellant and by M. J. Hamilton, Esq., Deputy Attorney General, counsel for respondent.

Cause ordered submitted upon Wiseman, J., having an opportunity to listen to the tape recorded oral argument.

Court recessed until Friday, April 16, 1999 at 10:00 A.M.

**F032447      In re Austin A., a Minor**

No brief or request for extension of time having been filed within the time provided, the appeal of Melissa G. is dismissed.

**F029870      People v. Perry**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F029923      People v. Allen**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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**F028471**      **People v. Kimbrough**  
**F029606**      **In re Clark Allen Kimbrough on Habeas Corpus**  
                 The judgment is affirmed.

                 The petition for writ of habeas corpus is denied without prejudice to the filing in the Kern County Superior Court of a similar petition pertaining to the claim of ineffective assistance of trial counsel at trial and witness tampering. Harris, J.

                 We concur: Dibiaso, Acting P.J.; Wiseman, J.

                 [NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F029427**      **People v. Geozos**  
                 The judgment is affirmed.

                 By the Court.

                 [NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F031525**      **In re John M., a Minor**  
                 The dispositional order committing the minor to jail for 91 days is vacated and the matter is remanded for a new dispositional hearing.

                 By the Court.

                 [NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F031267**      **People v. Ramirez**  
                 Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F031154**      **People v. Givens**  
                 Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F031384      In re Marylou T., a Minor**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.